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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,954	09/11/2003	Jack M. Younse	JMY-1001	3515
48933	7590	07/13/2005	EXAMINER	
JACK M. YOUNSE 602 SABINE COURT ALLEN, TX 75013			LAI, ANNE VIET NGA	
			ART UNIT	PAPER NUMBER
			2636	
DATE MAILED: 07/13/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/658,954	Applicant(s) YOUNSE, JACK M.	
	Examiner Anne V. Lai	Art Unit 2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 Mars 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,8-14 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,8-14 and 17-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 Mars 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-5, 8-10, 12-14, 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Osborne** [US. 2004/0113797] in view of **Flanagan et al** [US. 2003/0062996].

In claims 1, 4, 12, 21 and 22, **Osborne** discloses a vehicle occupant detection and notification system for retrofitting into an existing vehicle (fig. 1; [0036]-[0037]), having a child car seat assembly comprising: a child car seat 28, a seat cushion 82 with pressure switch 84 (fig. 8); a door switch 48 (figs. 1, 6), an inside temperature sensor 54 (fig. 5), an internal vehicle alarm (claim 3; fig. 7; [0047]), a high volume audible external vehicle alarm (horn; fig. 7); and a wiring harness for routing signals from the pressure switch, the door switches, the inside temperature sensor, and the vehicle's power to inputs of a controller (detectable signal generator 44 with its control logic function to generate signal when certain conditions are met; see abstract and [0019]), and from the controller output to internal and external vehicle audible alarms (message and horn in fig. 7; claim 3; [0047])

Osborne does not specify the safety belt and the microcontroller, **Flanagan et al** teach a vehicle occupant detection and notification system for retrofitting into an existing

vehicle comprising a child car seat with a seat belt for safety of the child ([0018]) and a microcontroller 502 for processing inputs from the sensing system 22 and output signal to the vehicle alarm system 26 (fig. 5, [0049]-[0054]). It would have been obvious to one having ordinary skill in the art at the time the invention was made installing safety belt in the car seat including the child car seat is required by law in most countries for safety reason, and implementing a microcontroller in the place of the signal generator of Osborne provides convenient for the user for its feasible programmable function, and its small in size for cost and space saving.

In claim 5, **Osborne** discloses the door switches from two passenger doors (two signal wires output from exit sensors 48, fig. 1) are routed to separated inputs of the controller unit 44, the controller unit enabling the internal vehicle alarm when a child is in the seat and any of the passenger doors are opened (claim 1c and 3; fig. 7). It would have been obvious all passenger doors of the vehicle can be installed with door detection switches as designer choice or user preference.

In claim 8, **Osborne** discloses voice message alarm in the vehicle (62, fig. 7; [0047]), and **Flanagan et al** disclose audio alarm (speaker, buzzer [0053]).

In claims 9 and 20, **Flanagan et al** teach the microcontroller unit is an integral part of the child car seat ([0017], [0047]-[0054]).

In claims 10 and 19, **Osborne** [0051] and **Flanagan et al** (fig. 2) disclose the seat cushion with built-in pressure switch is retrofitted to an existing child car seat.

In claims 13, **Osborne** [0053] discloses the monitoring system can be integrally formed into the vehicle at time of the manufacture, and the system can be permanently

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or temporarily connected to the vehicle electrical system (battery used for the vehicle engine). It would have been obvious to one having ordinary skill in the art at the time the invention was made the controller unit functions of the combine **Osborne** and **Flanagan et al** system can be made a part of the vehicle microcontroller built-in electrical system based on designer choice for cost or space saving purpose.

In claim 14, **Osborne** discloses plural cables for routing signals from plural sensing system (40, 42, 48, 50, 54; figs. 1, 5, 8) to the controller unit, only cable 86 (fig. 8) routes signal from the seat cushion with pressure switch means 40 to the vehicle controller unit; It would be obvious other systems functions can being part of the vehicle existing electronic component as designer choice (engine on/off sensor; turning on the conventional operating lights [0045]-[0049]; communication with remote receiver using existing communication component of the vehicle [0053]-[0054], etc.).

In claim 17, **Osborne** discloses the use exiting external vehicle alarms (horn, conventional lights, [0046]-[0050]); theses alarms are also well known in vehicle security alarm and sharing the same alarms system for plural abnormal conditions of the vehicle reduce cost for the user.

In claim 18, **Osborne** discloses the use of some existing internal vehicle alarm ([0046]-[0049]), although a vehicle beeper is not specify, it would have been obvious to one having ordinary skill in the art at the time the invention was made the use of existing vehicle beeper of the vehicle can be selected by a circuit designer for cost and space saving purpose.

In claim 23, **Osborne** discloses output internal and external vehicle alarms consisted of: a voice command, a horn and a security alarm ([0047]-[0049]); the existing beeper on the vehicle can obviously being used based on designer choice since others existing vehicle alarms or indicators are disclosed being used by this system (conventional operating lights 68, horn 54, display on the dashboard 58, etc.).

In claims 24, 25 and 26, **Flanagan et al** disclose the microcontroller enabling the system when the child is detected in the child car seat [0055] and inhibiting the system if the child is removed from the child car seat [0070], **Osborne** discloses a signal is generated if the child is detected in the child seat and the temperature inside the car reaches an unsafe level or the user exit the car (abstract, [0019], claim 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made a microcontroller can be programmed to perform automatically a vehicle safety function as programmer choice.

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Osborne** and **Flanagan et al** in view of **Edwards et al** [US. 6,714,132].

In claim 11, **Osborne** discloses the cushion with incorporated pressure sensor may be part of the child safety seat or may be placed upon the rear or the front seat ([0051]), therefore provision must be made for electrical connecting the sensor to the wiring harness where ever the cushion is placed. **Osborne** does not specify a plurality of child car seats however this feature is taught by **Edwards et al** (figs. 7A, 7B, 8, 9A-9C; col. 7 line 63 through col. 11, line 50). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have provision for more

than one child seat in a car for the convenient of a user having than more than one child; and obviously the microprocessor must have multiple inputs, each for one child seat.

Response to Arguments

4. Applicant's arguments with respect to claims 1, 4-5, 8-14 and 17-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Breed et al disclose a vehicular occupant characteristic determination system using existing vehicle security system to provide warning. [US. 2002/0089157], ([0043], [0221]).


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne V. Lai whose telephone number is 571-272-2974. The examiner can normally be reached on 8:00 am to 5:30 pm, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NL

A. V. Lai
June 30, 2005


JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
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